(26)

HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. NO. 609/2001

PETITIONER (Tenant) — Jagannath Gupta, S/o. Mangal Sao Gupta, aged about 60 years, Tenant, Sadar Bazar, Kawardha, Distt. Kawardha (Chhattisgarh)

Vs.

RESPONDENT (Land-lord) — Chief Executive Officer, Municipal Council (Nagar Palika Parishad), Kawardha Distt. Kawardha (Chhattisgarh)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

(SB: Hon'ble Mr. **Satish K. Agnihotri, J.)**

Shri V.G.Tamaskar, counsel for the petitioner.
Shri Sunil Sahu, counsel for the respondent.

ORAL ORDER

(Passed on this 21ST day of November 2007)

1. By this petition, the petitioner seeks quashing of the notice dated 20th March 2001 (Annexure P/4) whereby the petitioner was directed to remove his possession from the property in dispute within a period of seven days, failing which appropriate steps would be taken to remove the petitioner from the property in dispute.

2. This Court, on 8.5.2001, directed not to evict the petitioner forcibly. If eviction is called for, the same should be done only in due process of law. The interim order is in the nature of final order.

3. Learned counsel appearing for the respondent submits that the petitioner shall not be removed from the property in dispute without affording proper opportunity of hearing to the petitioner in accordance with law.

4. The compliance of the impugned order shall not be insisted upon.

5. In view of the foregoing, this petition is disposed of accordingly.

Sd/-
Satish K. Agnihotri
Judge

Suguna